

FILED

APR 13 2015

BUREAU OF REAL ESTATE

By 

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9 **BEFORE THE BUREAU OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Application of)

No. H- 39802 LA

13 KIMBERLY KELLY SCHNEIDER,)

STATEMENT OF ISSUES

14 Respondent.)

15 _____)
16
17 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the
18 State of California, for Statement of Issues against KIMBERLY KELLY SCHNEIDER,
19 a.k.a. KIMBERLY KELLY RINO-SCHNEIDER, a.k.a. KIMBERLY KELLY RINO
20 ("Respondent"), is informed and alleges in her official capacity as follows:

21 1.

22 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the
23 State of California, alleges this Statement of Issues in her official capacity.

24 2.

25 On or about October 25, 2013, Respondent made application to the Bureau of
26 Real Estate of the State of California for a real estate salesperson license.

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Statement of Issues of Kimberly Kelly Schneider

1 FIRST CAUSE FOR DENIAL

2 (CRIMINAL CONVICTIONS)

3 3.

4 On or about April 3, 2012, Respondent pled guilty and was convicted in the
5 Superior Court of California, County of Los Angeles, Case No. BA377154, for violation of the
6 California Penal Code Section 550(b)(1) (Insurance Fraud), a misdemeanor. Respondent was
7 placed on two years of summary probation, and ordered to pay restitution, fines and fees.
8 Additionally, Respondent was ordered to perform 180 hours of community service.

9 4.

10 On or about October 28, 2013, Respondent pled nolo contendere and was
11 convicted in the Superior Court of California, County of Los Angeles, Case No. 3PS10873, for
12 violation of the California Penal Code Section 415(2) (Disturbing The Peace), a misdemeanor.
13 Respondent was placed on three years of summary probation, and ordered to pay restitution,
14 fines and fees. Additionally, Respondent was ordered to complete a 26 week anger
15 management program and a 26 week parenting program.

16 5.

17 The convictions described in Paragraphs 3 and 4 bear a substantial relationship
18 under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,
19 functions or duties of a real estate licensee.

20 6.

21 The crimes of which Respondent was convicted, as described in Paragraphs 3
22 and 4 above, constitute cause for denial of Respondent's application for a real estate license
23 under Business and Professions Code Sections 475(a)(2)-(3), 480(a)(1)-(2), and 10177(b).

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Statement of Issues of Kimberly Kelly Schneider

(FAILURE TO REVEAL CHARGES ON LICENSE APPLICATION)

In response to Question 26, under the Background Information section of her license application, to wit, "ARE THERE CRIMINAL CHARGES PENDING AGAINST YOU AT THIS TIME," Respondent answered "NO," and failed to disclose the pending criminal charges described in Paragraph 4, above.

Respondent's failure to reveal the criminal charges pending, as set forth in Paragraph 4 above, in her license application constitutes an attempt to procure a real estate license by fraud, misrepresentation, or deceit, or by making a false statement of material fact required to be revealed in said application, which is grounds for denial of the issuance of a license under California Business and Professions Code Sections 475(a)(1), 480(d), and 10177(a).

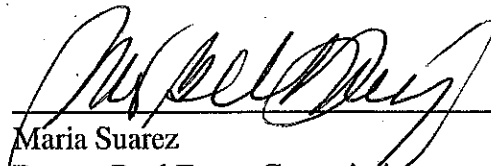
These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

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1 WHEREFORE, the Complainant prays that the above-entitled matter be set for
2 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
3 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
4 Respondent KIMBERLY KELLY SCHNEIDER and for such other and further relief as may be
5 proper under other applicable provisions of law.

6
7 Dated at Los Angeles, California

8 this 8th day of April, 20 15

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10 
11 Maria Suarez
12 Deputy Real Estate Commissioner

13
14 cc: KIMBERLY KELLY SCHNEIDER
15 Maria Suarez
16 Sacto.
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